

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION**

CIVIL ACTION No. 5:09-CV-263-FL

GORDON E. BOYCE, PATRICIA A.)
BOYCE, and OTHER CUSTOMERS OF)
WACHOVIA SECURITIES, LLC,)
SIMILARLY SITUATED to be NAMED)
CLASS MEMBERS)
)
Plaintiffs,)
vs.)
)
WACHOVIA SECURITIES, LLC,)
JEFFREY BEAVER, JAMES W.)
APPLEWHITE, III, and BILL)
BRYANT,)
)
Defendants.

**ORDER GRANTING DISMISSAL OF
CLASS CLAIMS WITHOUT PREJUDICE**

Presently before the Court is the joint motion of the parties, pursuant to Rule 41 of the Federal Rules of Civil Procedure, seeking dismissal of the class claims in this action without prejudice. Having reviewed the joint motion and considered this matter under the governing standard of *Shelton v. Pargo, Inc.*, 582 F.2d 1298, 1314 (4th Cir. 1978), the Court is satisfied that the joint motion should be granted.

ACCORDINGLY, IT IS HEREBY ORDERED, ADJUDGED AND DECREED THAT:

1. Class claims asserted in this action are hereby dismissed without prejudice.

IT IS SO ORDERED this 23rd day of August, 2010.



LOUISE W. FLANAGAN
Chief United States District Judge